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DEC 30 2003

OFFICE OF PETITIONS

In re Application of
Matthias G. Von Herrath
Application No. 09/336,672
Filed: June 17, 1999
Attorney Docket No. SCRIP1100

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ON PETITION

This is a decision on the petition to revive under 37 CFR 1.137(a), filed December 4, 2003 (Certificate of Mailing dated December 2, 2003).

The petition is **DISMISSED** for involving a moot issue.

The above-identified application was held abandoned for failure to timely reply to the final Office action mailed December 31, 2002. A Notice of Abandonment was mailed on April 21, 2003, prior to the end of the maximum six month statutory period for response. Applicant filed an Amendment and a Notice of Appeal on June 30, 2003, made timely by obtaining a three month extension of time.

A Notice of Rescinded Abandonment was mailed on December 8, 2003.

The application file is being forwarded to Technology Center 1600 for consideration of the Amendment and Notice of Appeal.

Telephone inquiries should be directed to the undersigned at (703) 305-0272.

Cliff Congo

Cliff Congo
Petitions Attorney
Office of Petitions